

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 6, 2009.

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God of Goodness and Truth, this morning we approach You in prayer as we seek Your peace in our hearts and minds and Your guidance in selecting legislative options. Grant us the wisdom to seek personal and legislative goals which serve the best current and future needs of people, our communities and the Commonwealth. In defining and promoting the common good, teach us, as elected leaders to be good, but critical listeners in our conversations and discussions with colleagues and constituents. Inspire us to recognize issues and decisions which are morally right or wrong at all times. May we continue our struggle in these difficult times to provide employment and educational opportunities for all in our society. Let the worldwide challenges in this era of economic instability strengthen our creativity and determination to meet the needs of the times.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor submitting recommendations for making appropriations for the fiscal year 2009 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4157), was filed in the office of the Clerk on Thursday, July 2.

Supplementary
appropriations.

The message was read; and it was referred, under Rule 30, to the committee on Ways and Means.

Special Reports.

Reports

Of the Massachusetts Highway Department (under Section 65 of Chapter 303 of the Acts of 2008) on the cost and feasibility of installing rumble strips on all state-owned highways;

Rumble
strips.HD4455

Of the Executive Office of Transportation (under Section 16 of Chapter 233 of the Acts of 2008) on behalf of the Structurally Deficient Bridge Improvement Program Coordination and Oversight Council;

Of the Department of Public Utilities (under Section 92 of Chapter 169 of the Acts of 2008) relative to the maintenance and improvement of gate boxes of gas utilities;

Of the Department of Public Utilities (under Section 92 of Chapter 169 of the Acts of 2008) relative to maintenance and repair standards for distribution systems of investor-owned gas and electric distribution companies; and

Of the Department of Public Utilities submitting corrections to certain portions of the report submitted previously (under Section 92 of Chapter 169 of the Acts of 2008) relative to maintenance and repair standards for distribution systems of investor-owned gas and electric distribution companies.

Severally were placed on file.

Paper from the Senate.

A petition of Matthew C. Patrick and others (accompanied by bill, House, No. 4138) relative to the establishment of the Cape Care Community Health Trust (having been returned by the State Secretary, under the provisions of Chapter 3 of the General Laws with memoranda relative thereto), came from the Senate with the endorsement that said branch had non-concurred with the House in its reference to the committee on Public Health; and that said petition had been referred by said branch, in non-concurrence, to the committee on Health Care Financing.

On motion of Mr. Sánchez of Boston, the House receded from its reference to the committee on Public Health; and the petition was referred, in concurrence, to the committee on Health Care Financing.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2103) of Thomas M. McGee, Robert F. Fennell, Steven M. Walsh and other members of the General Court (with the approval of the mayor and city council) for legislation relative to the relocation of electrical power transmission lines in the city of Lynn. To the committee on Judiciary.

Petition (accompanied by bill, Senate, No. 2102) of Bruce E. Tarr, and Ann-Margaret Ferrante (with the approval of the mayor and city council) for legislation to exempt the position of fire chief in the city of Gloucester from the civil service law.

Petition (accompanied by bill, Senate, No. 2104) of Gale D. Candaras (by vote of the town) for legislation to authorize the town of Wilbraham to provide certain benefits to Christopher J. Doyle.

Severally to the committee on Public Service.

Reports of Committees.

By Mr. Binienda of Worcester, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint

Bridges,—
safety.HD4456

Gas companies,—
gate boxes.HD4457

Distribution
companies,—
maintenance.
HD4458

Id.
HD4459

Cape Care
Health Trust.

Lynn,—
transmission
lines.

Gloucester,—
fire chief.

Wilbraham,—
Christopher J.
Doyle.

Rule 12 be suspended on the following petitions:

Joint petition (accompanied by bill) of Harold P. Naughton, Jr., and James B. Eldridge for legislation to establish a sick leave bank for Judith Fitzsimmons, an employee of the Trial Court. To the committee on the Judiciary.

Judith
Fitzsimmons,—
sick leave.

Petition (accompanied by bill) of Michael F. Kane relative to the regional electric generating project in the city of Westfield known as the Pioneer Valley Energy Center. To the committee on Telecommunications, Utilities and Energy.

Westfield,—
Pioneer Valley
Energy.

Under suspension of the rules, on motion of Mr. Murphy of Burlington, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Donato of Medford, for the committee on Municipalities and Regional Government, that the Recommended Bill authorizing the city of Methuen to lease that building formally known as the “Dav Building” to the Head Start Program of the Greater Lawrence Community Action Council (House, No. 599) ought to pass with an amendment substituting therefore a bill with the same title (House, No. 1883) [Local Approval Received]. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Methuen,— “Dav
Building”.

Mr. Kafka of Stoughton, for said committee reported that the matter be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting, for a second reading, with the amendment pending.

By Mr. Kafka of Stoughton, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

House bills:

Establishing a town manager form of government for the town of Hanover (House, No. 1123) [Local Approval Received];

Hanover.

Relative to designating a certain area in the city of Worcester as a place of peace healing garden (House, No. 2988);

Worcester.

Authorizing the town of Hanover to establish an other post employment benefits trust fund (House, No. 3819) [Local Approval Received]; and

Hanover.

Establishing the position of municipal hearing officer in the town of Southbridge (House, No. 4116) [Local Approval Received];

Southbridge.

Severally placed in the Orders of the Day for the next sitting for a second reading.

By Mr. Spellane of Worcester, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Sara Dubik-Unruh, an employee of the Department of Transitional Assistance (House, No. 1142).

Sara Dubik-Unruh.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for a certain employee of the Middlesex Sheriff's Office (House, No. 1150).

Michelle Nocera.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Gayle Tickel, an employee of the Department of Correction (House, No. 1155).

Gayle Tickel.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kafka of Stoughton, for said committee, reported that the matters be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Angela N. Wilson, an employee of the Department of Youth Services (see House, No. 613), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Angela N. Wilson,—
sick leave
bank.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 5 to 0. Sent to the Senate for concurrence.

Orders of the Day.

House Bills

Relative to the Dukes County Land Bank (House, No. 4043); and
Relative to the Falmouth Historic District Commission (House, No. 4104);

Third
reading
bills.

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next
sitting.

At eleven minutes after eleven o'clock A.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.